

REMARKS UNDER 37 CFR § 1.111

Formal Matters

Claims 156-180 are pending after entry of the amendments set forth herein.

Claim 1 has been canceled and its cancellation in no way reflects applicants acquiescence to the rejection but rather an indication that applicants have previously obtain patent protection on the subject matter. Claims 156-180 remain pending and are believed to be in condition for allowance based on the comments provided below.

Applicants respectfully request reconsideration of the application in view of the amendments and remarks made herein.

No new matter has been added.

Objections

The title is objected to as being non-descriptive of the current claims. In order to expedite prosecution applicants have amended the title to use the language suggested by the Examiner. Accordingly, the objection is believed to be rendered moot.

The abstract was also objected to. Applicants have attached hereto a clean copy of the Abstract on a separate sheet of paper as requested by the Examiner. Accordingly, this rejection is believed to have been overcome.

Prior Art Rejections

Claim 1 was rejected over cited references. The rejection is believed to have been rendered moot in view of the cancellation of claim 1. Applicants do not acquiesce to the validity of the rejection. However, as indicated above applicants have obtained patent protection on the subject matter within a parent application and merely included claim 1 here to provide continuity in the prosecution of this application.

Obviousness Type Double Patenting Rejection

All of the pending claims were rejected under the Doctrine of Obviousness-Type Double Patenting. The rejection is traversed as applied and as it might be applied to the presently pending claims.

Although applicants do not acquiesce to the rejection applicants wish to expedite prosecution. Accordingly, applicants filed a terminal disclaimer (attached hereto) with respect to U.S. Patent 6,207,392. Accordingly, the rejection is believed to have been rendered moot.

Information Disclosure Statement

Applicants submitted an Information Disclosure Statement. However, the Examiner has not returned the initialed 1449 form to applicants and applicants respectfully requests that such be reviewed, initialed and returned.

Conclusion

Summarizing, the title has been amended and an Abstract been presented on a single sheet as requested by the Examiner. The prior art rejections have been rendered moot on view of its cancellation. The obviousness-type double patenting rejections have been overcome by the filing of the attached Terminal Disclaimer.

Applicant submits that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, please telephone the undersigned at the number provided.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number LBLB-002CIPCON.

Respectfully submitted,
BOZICEVIC, FIELD & FRANCIS LLP

Date:

10/17 April/03

By:

Karl Bozicevic
Registration No. 28,807

BOZICEVIC, FIELD & FRANCIS LLP
200 Middlefield Road, Suite 200
Menlo Park, CA 94025
Telephone: (650) 327-3400
Facsimile: (650) 327-3231